IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIFTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 12014 of 2004

Between:

P.Kamalamma W/o Late P.Ramulu
H.No.13-6-129/1, Karwan Kulsumpura, Hyderabad

... PETITIONER

AND

1 State Bank of Hyderabad rep. by its Managing Director, Gunfoundry, Hyderabad
2 The Chief General Manager, State Bank of Hyderabad, Gunfoundry, Hyderabad
3 The Chief Manager, Personal Department , State Bank of Hyderabad , Head Office, Gunfoudry, Hyderabad

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or Direction, more particularly one in the nature of writ of Mandamus directing the respondents to release and pay the Family Pension to the petitioner herein in pursuance of Form-8 submitted by Late P.Nirmala to the 3rd respondent.

Counsel for the Petitioner: MR.V.VISWANATHAM

Counsel for the Respondents: MR.A.KRISHNAM RAJU

The Court made the following:

ORDER:

Heard the learned counsel on either side.

The petitioner claiming to be the class I heir of the deceased P.Nirmala, who died while in service as Malan, filed this writ petition *inter alia* seeking writ of Mandamus directing the respondents to release and pay the Family Pension to her in pursuance of Form-8 submitted by the deceased to the third respondent.

The case of the petitioner is that she is the nominee of her deceased daughter P.Nirmala. In view of death of her daughter and apart from the fact that she being the class I heir and also a nominee in Form-8, she is entitled to the Family pension benefits. Though the petitioner has filed a representation in this regard on 18-08-2003 before third respondent, the same is still pending under consideration.

Having heard the submissions made on either side and also on perusal of the material available on record, it is seen that there is already a representation pending with the third respondent and the petitioner claims to be the nominee and also class I heir of the deceased. Therefore, there cannot be any impediment to consider the case of the petitioner and to pass appropriate orders. No justification can be seen keeping such representations pending long time.

The writ petition is accordingly allowed directing the third respondent to consider the representation dated 18-08-2003 filed by the petitioner and to pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

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(B.PRAKASH RAO, J)

Dated February 25, 2005.

YCR

Note:

Issue copy in a week.

B/O

To

1 The Managing Director, State Bank of Hyderabad,

Gunfoundry, Hyderabad.

2 The Chief General Manager, State Bank of Hyderabad, Gunfoundry, Hyderabad.

3 The Chief Manager, Personal Department , State Bank of Hyderabad, Head Office, Gunfoundry, Hyderabad.

4. 2 C.D. copies.